

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Edith M. Chew		
	Debtor(s)	CHAPTER 13
NewRez LLC d/b/a Shellpoint Mortgage Servicing		
	Movant	
vs.		
Edith M. Chew		NO. 20-12591 ELF
	Debtor(s)	
Phyllis F. Martinet		
	Co-Debtor	
William C. Miller Esq.		11 U.S.C. Section 362 and 1301
	Trustee	

**MOTION OF NewRez LLC d/b/a Shellpoint Mortgage Servicing
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362 and 1301**

1. Movant is NewRez LLC d/b/a Shellpoint Mortgage Servicing.
2. Debtor and Phyllis F. Martinet, co-debtor are the owner(s) of the premises 206 Gulph Creek Road, Wayne, PA 19087, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$169,600.00 on the mortgaged premises that was executed on January 17, 2002 and recorded on January 29, 2002. The mortgage has been assigned as follows:

Mortgage Electronic Registration Systems, Inc. ("MERS"), as Nominee for Weichert Financial Services, Its successors and assigns to New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing recorded on September 17, 2018 at Book 06225-0265.
4. William C. Miller Esq., is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. Debtor and Phyllis F. Martinet, co-debtor has/have failed to make the monthly post-petition mortgage payments in the amount of \$1,734.52 for the months of September 2020 through December 2020. The debtor's suspense balance is \$120.01.

7. The total amount necessary to reinstate the loan post-petition is \$6,818.07.
8. Movant is entitled to relief from stay for cause.
9. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Rebecca A. Solarz, Esq.

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